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EXCEPTION

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BEFORE THE ARIZONA CORPORATION COMMISSION RECEIVED

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ChairmanWILLIAM A. MUNDELL  
CommissionerJEFF HATCH-MILLER  
CommissionerMIKE GLEASON  
CommissionerKRISTIN MAYES  
Commissioner

Arizona Corporation Commission

DOCKETED

OCT 30 2003

AZ CORP COMMISSION  
DOCUMENT CONTROL

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CAH

IN THE MATTER OF THE APPLICATION OF  
MIDVALE TELEPHONE EXCHANGE, INC. FOR  
AUTHORIZATION TO PROVIDE FACILITIES-  
BASED BASIC LOCAL EXCHANGE SERVICE  
AND TOLL ACCESS TELEPHONE SERVICE TO  
CURRENTLY UNSERVED RESIDENTIAL  
DEVELOPMENTS KNOWN AS CROSSROADS  
RANCH, POQUITO VALLEY AND BREEZY  
PINE.

Docket No. T-02532A-03-0017

EXCEPTIONS OF TABLE TOP  
TELEPHONE COMPANY, INC., AND  
NOTICE OF APPEARANCE

Table Top Telephone Company, Inc. ("Table Top"), by and through its counsel undersigned, submits its exceptions to the recommended opinion and order dated October 21, 2003, in the above-captioned proceeding. Specifically, Table Top withdraws its request that the Arizona Corporation Commission ("Commission") approve the establishment of extended area service ("EAS") from Qwest Corporation ("Qwest") prefixes in Qwest's Prescott local calling area<sup>1</sup> (the "Prescott Local Calling Area") to Table Top's Inscription Canyon Ranch Exchange, and requests that the recommended opinion and order be modified as described herein.

In this docket, Midvale Telephone Exchange, Inc., ("Midvale") filed an application for an extension of its Certificate of Convenience and Necessity to provide local telephone service in a proposed new exchange in Yavapai County, Arizona, to be known as the Millsite Exchange. In addition, Midvale requested that the Commission approve the establishment of two-way EAS between the Millsite Exchange and Table Top's Inscription Canyon Ranch Exchange, and between

<sup>1</sup> Qwest's Prescott local calling area encompasses the Prescott, Chino Valley and Humbolt Exchanges.

1 the Millsite Exchange and Qwest's Prescott Local Calling Area. Table Top requested and was  
2 granted intervention in this docket.

3 Table Top's Inscription Canyon Ranch Exchange is contiguous to a portion of Qwest's  
4 Prescott Exchange, and Table Top currently provides one-way EAS for its customers in the  
5 Inscription Canyon Ranch Exchange to Qwest prefixes in the Prescott Local Calling Area. At the  
6 hearing held on August 20, 2003, Table Top requested that the Commission approve two-way EAS  
7 between the Inscription Canyon Ranch Exchange and Qwest prefixes in the Prescott Local Calling  
8 Area. Qwest was not present at the August hearing.

9 Since the August hearing, Table Top has had discussions with Qwest and has submitted data  
10 requests to Qwest regarding the terms under which Qwest would agree to provide EAS from Qwest  
11 prefixes in the Prescott Local Calling Area to the Inscription Canyon Ranch Exchange. In response  
12 to these data requests, Qwest stated that it would provide EAS from the Prescott Local Calling Area  
13 to the Inscription Canyon Ranch Exchange if ordered, but would request that Qwest's costs of  
14 establishing EAS, such as additional trunking costs, be paid by Table Top and recovered by Table  
15 Top through an EAS surcharge on Table Top customers. In addition, Qwest stated that it would  
16 charge Table Top recurring transit charges under an EAS agreement that would need to be executed  
17 between the companies.

18 Table Top already pays the costs associated with providing EAS from the Inscription Canyon  
19 Ranch Exchange to Qwest prefixes in the Prescott Local Calling Area, and Table Top does so without  
20 imposing an EAS surcharge on its Inscription Canyon Ranch customers. Table Top is not willing to  
21 pay Qwest's costs associated with establishing EAS from Qwest customers in the Prescott Local  
22 Calling Area to Table Top customers in the Inscription Canyon Ranch Exchange. Thus, Table Top is  
23 withdrawing its request that the Commission approve two-way EAS between Qwest prefixes in the  
24 Prescott Local Calling Area and the Inscription Canyon Ranch Exchange.

25 Since Table Top is withdrawing its request, Table Top requests that the recommended opinion  
26 and order be modified as follows:

27 1. Modify the ordering paragraph on page 14, lines 10-12, by deleting the requirement  
28 that Table Top's request for approval of two-way EAS between Qwest prefixes in the Prescott Local

1 Calling Area and the Inscription Canyon Ranch Exchange be set for hearing.

2       2.       Modify the ordering paragraph on page 14, lines 13-15, by deleting the requirement  
3 that Table Top submit documentation to Utilities Division Staff regarding the costs of implementing  
4 two-way EAS between Qwest prefixes in the Prescott Local Calling Area and the Inscription Canyon  
5 Ranch Exchange.

6       3.       Revise the ordering paragraph on page 14, lines 13-15, by extending Table Top's  
7 deadline for submitting documentation to Staff from 30 days to 60 days, and by extending by 30 days  
8 the deadlines contained in the ordering paragraphs on page 14, line 18, and on page 15, line 6. Table  
9 Top is a small company with limited staff resources, and it would be difficult to prepare the  
10 documentation that must be submitted to Staff regarding EAS between the Millsite Exchange and the  
11 Inscription Canyon Ranch Exchange in 30 days. In addition, the holidays are fast approaching which  
12 further complicates the process of preparing the necessary documentation.

13       4.       Modify the ordering paragraph on page 14, lines 20-26, by deleting the requirement  
14 that Table Top (i) poll its current and potential customers regarding EAS between Qwest prefixes in  
15 the Prescott Local Calling Area and the Inscription Canyon Ranch Exchange; and (ii) file an affidavit  
16 of the results of such a poll with the Commission.

17       5.       Dismiss Table Top's request for approval of two-way EAS between Qwest prefixes in  
18 the Prescott Local Calling Area and the Inscription Canyon Ranch Exchange.

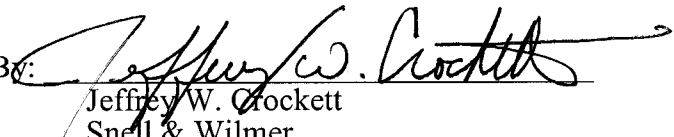
19       6.       Make all other necessary conforming changes to the recommended opinion and order.

20       Table Top also notifies the Commission that it will now be represented in this docket by the  
21 law firm of Snell & Wilmer. Future correspondence and pleadings in this docket should be addressed  
22 to Table Top's attorneys as follows:

23       Jeffrey W. Crockett, Esq.  
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27       Phone: (602) 382-6234  
28       Facsimile: (602) 382-6070  
      E-mail: jcrockett@swlaw.com

      Table Top was not previously represented by counsel in this docket.

1 RESPECTFULLY SUBMITTED this 30<sup>th</sup> day of October, 2003.

2  
3 By:   
4 Jeffrey W. Crockett  
5 Snell & Wilmer  
6 One Arizona Center  
7 400 East Van Buren  
8 Phoenix, AZ 85004-2202  
9 Attorneys for Table Top Telephone Company,  
10 Inc.

11 Original and 13 copies of the foregoing filed  
12 this 30th day of October, 2003, with:

13 Docket Control  
14 Arizona Corporation Commission  
15 1200 West Washington  
16 Phoenix, Arizona 85007

17 Copy of the foregoing mailed this 30th day  
18 of October, 2003, to:

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